

REMARKS

Claim 1 has been amended to additionally recite the cam mechanisms and roughly corresponds to claim 2 rewritten in independent form.

The support shaft portions recited by new claim 4 are shown as 38 in the drawings. Also see paragraph [0034] of applicants' specification.

Description corresponding to new claims 5 and 6 is found in paragraph [0039] of applicants' specification.

The rejection of claim 1 as stated in paragraph 3 of the office action is considered moot in view of the present amendments to claim 1 incorporating the features originally recited in claim 2.

The rejection of claim 2 for obviousness as set forth in paragraph 4 of the office action is respectfully traversed. Firstly, it is respectfully submitted that one skilled in the art would not have looked to Wunderlich for modification of the device disclosed in the Kanegasaki et al JP 2002-159287. The device of Wunderlich is directed to a different art and to a different function within that different art. More specifically, the cap 17 and cap actuating lever 18 of Wunderlich functions to close the opening of the orifice at the free end of a nipple 13 (col. 1, lines 2-4 of Wunderlich). There is no such distal opening to be closed in the structure of Kanegasaki et al JP 2002-159287. Further, there is no nexus between the nipple and cap of Wunderlich and the cell of Kanegasaki et al JP 2002-159287. Parenthetically, the "other assemblies" referred to at page 2, last paragraph in the right-hand column of the Kanegasaki et al 2003 non-patent literature article is believed to mean that the "assemblies" described up to that point are not "used for holding the device together."

Perhaps more importantly, modification of Kanegasaki et al JP 2002-159287 in view of Wunderlich would not lead to the present invention. As the Examiner acknowledges at page 4 of the office action, Kanegasaki et al JP 2002-159287 is silent regarding lever mechanisms with a cam mechanism. Further, the Kanegasaki et al 2003 non-patent

literature reference is apparently relied upon only for its teaching at page 2, right column, bottom of last paragraph which is not suggestive of any structure. Modification of Kanegasaki et al JP 2002-159287 in light of Wunderlich (and Kanegasaki et al 2003) would not result in anything resembling the invention as claimed here. Note, for example:

1. The lever handle 18 of Wunderlich is not pivotally mounted on the base element corresponding to the "bottom support body") of a stack of elements (bottom support body, intermediate support body and cover block body).

2. Item 16 in Fig. 1 of Wunderlich can not be "one U-shaped lever" as argued by the Examiner because it doesn't move at all, whereas claim 1 as amended defines both U-shaped levers as pivoting between first and second positions.

3. Item 16 in Fig. 1 of Wunderlich can not be "one U-shaped lever" as argued by the Examiner because it is not pivotally mounted on support shaft portions extending from a "bottom support body."

4. Wunderlich does not disclose or suggest two cam levers, each of which includes a handle with legs extending from opposing ends, pivotally or rotatably mounted at the same point, i.e. on the same support shaft portions. At page 5 of the office action the Examiner acknowledges that none of the references teaches two U-shaped levers, but dismisses the recitation of two U-shaped levers as defining an "obvious variant." The whole purpose of the Examiner's search is to locate prior art suggestive of the claimed structure which, as admitted by the Examiner, he has failed to do. Stated differently, the references in combination do not establish *prima facie* obviousness. Lack of *prima facie* obviousness is further evident from the fact that the two U-shaped levers are defined by claim 1 here in detail as having cam grooves respectively engaged with pins on two different, specified elements (intermediate support body and bottom support body) which are clamped together and are further defined as pivotally or rotatably mounted at the same point, i.e. on the same support shaft portions .

5. Wunderlich does not disclose or suggest structure whereby a cam mechanism serves to press fitting 12 against a base member, nor is pivot pin 25 (which the Examiner would somehow equate with the recited "intermediate support member") pressed against

a base member ("bottom support body") in a stack of bottom support body/intermediate support body/cover block body.

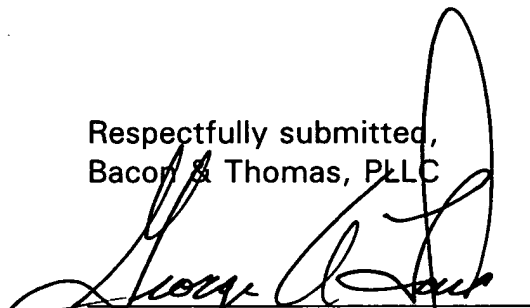
None of the above claimed deficiencies of Kanegasaki et al JP 2002-159287 as modified by Wunderlich is cured by the additional citation of the Kanegasaki et al 2003 non-patent literature cited only for a (mischaracterized) teaching at the bottom of the right-hand column at page 2 which teaches no structure whatsoever.

The rejection for obviousness over Kanegasaki et al WO 02/46356 (alone ?) (Paragraphs 6-8 of the office action) is traversed for the same reasons given above. Even if modified by Wunderlich it would still fail to lead to the present invention as it would lack features 1-5 discussed above.

Finally, the obviousness type double patenting rejection over USSN 10/572,801 is traversed for the reason that the claims pending in that application neither recite nor suggest a cam mechanism.

Reconsideration of the rejections of record in light of the foregoing is respectfully requested.

Respectfully submitted,
Bacon & Thomas, PLLC



George A. Loud
Registration No. 25,814

Date: April 10, 2008

Customer Number **23364**
625 Slaters Lane
Alexandria, VA 22314
Telephone: 703-683-0500